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COMMISSION ON SECURITY AND COOPERATION IN EUROPE

# DIGEST

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## Sofia CSCE ecology meeting: dialogue and demonstrations Romania blocks final report

All 35 CSCE signatory States met in Sofia, Bulgaria from October 16 to November 3 for the first CSCE meeting devoted exclusively to the environment. Mandated by the Vienna Concluding Document to set forth recommendations on environmental protection, the agenda focused on:

- prevention, control, and clean-up of industrial accidents with transboundary effects.
- management of hazardous waste.
- transboundary water pollution.

The meeting also examined public awareness issues, including individual and group efforts to deal with environmental problems.

### Human rights issues

Broader human rights issues also characterized the meeting from the beginning. Bulgaria's poor human rights record, particularly with regard to the Turkish minority, came under attack in the opening remarks of several delegations (see box). The U.S. and other Western delegations also noted the interrelationship between the many fields of the CSCE process and the need for balanced progress in them all, raising the issue of human rights violations in other East European countries.

A final area of human rights concern focused on the ability of groups and individuals to express themselves on environmental problems and to associate and assemble peacefully for that purpose. In light of increasing environmental activism in the Soviet Union and Eastern Europe, the U.S. delegation introduced a proposal, sponsored by 19 other delegations, which addresses this issue. The proposal also would have committed governments to considering concerns of groups and individuals in choosing environmental policies, and to respecting the interests of the public in understanding environmental conditions.

The interrelationship of human rights and the environment was brought home dramatically by unprecedented activity on the part of the rapidly emerging Bulgarian environmental and human rights movement. While Bulgarian authorities continue to be antagonistic toward independent activity, during the meeting they began to show greater tolerance, due largely to the presence of Western diplomats and press.

**Head of U.S. delegation Richard Smith addresses the 35-nation Sofia CSCE Environmental Meeting.**

The Commission on Security and Cooperation in Europe by law monitors and encourages progress in implementing the provisions of the Helsinki human rights accords. The Commission, created in 1976, is made up of nine Senators, nine Representatives and one official each from the Departments of State, Commerce and Defense.

The environmental group *Ecoglasnost* gathered 11,545 signatures on a petition to the Bulgarian National Assembly calling for public debate on several controversial projects that would have a negative impact on the environment. On Friday, November 3, more than 4,000 Bulgarians rallied in downtown Sofia and presented the petition to National Assembly Deputy President Angel Dimitrov.

Independent groups, such as the Independent Society for the Protection of Human Rights and the Discussion Club for the Support of Perestroika and Glasnost, held unprecedented meetings in both public parks and in a Sofia cinema. This activity was marred by police actions against activists preparing to gather signatures on the *Ecoglasnost* petition who were beaten, detained, and expelled from Sofia by police on October 26. Only after strong criticism by virtually every delegation were they allowed to return.

### U.S. delegation

The U.S. delegation to the meeting was led by Richard Smith, Special Negotiator for Environmental Issues at the Department of State, backed up by Joshua Gilder, Deputy Assistant Secretary of State for Human Rights and Humanitarian Affairs. State, Defense, the EPA, USIA, and the Helsinki Commission staffed the delegation. In line with achieving greater public involvement in the process, the delegation included as public members Jonni Bosch of the Sierra Club, Stephen Braverman, an attorney specializing in environmental law, and Penn Kemble representing Freedom House.

Much of the discussion surrounded technical and legal aspects of the three environmental fields on the agenda, with delegations describing their national programs and noting special problems necessitating multilateral action. The need for multilateral efforts was stressed particularly in dealing with industrial accidents, such as preventive measures, early warning, assistance upon request, clean-up, and liability arrangements.

In total, over 30 proposals were introduced suggesting additional work for the U.N. Economic Commission for Europe (a Geneva-based organization with a membership almost identical to CSCE), and the U.N. Environment Programme.

In the last week of the meeting, four neutrals—Austria, Finland, Sweden, and Switzerland—circulated a draft report for the meeting, which included common elements of the nearly three dozen proposals introduced. The draft was formally introduced after taking comments into account.

### Romanian intransigence

Then, on the eve of adjournment, the Romanian delegation said that it could not accept the two paragraphs in the draft report on independent environmental activism because of their human rights content. General language on educating the public on environmental issues was offered by the Romanians as an alternative, but Western, neutral, and some East European delegations openly objected to the Romanian proposal.

Deliberations were suspended for nearly a full day as delegations waited for the Romanian delegation to receive final instruction. On the morning of the last day, Romania withheld its consent to the document because it still contained the two paragraphs it considered objectionable. In response, all 34 other delegations added their names as co-sponsors in order to make it clear that Romania alone had denied the meeting a concluding document. Closing statements were critical of the Romanian position.

Despite the absence of an agreed-upon report, the Sofia meeting can be considered successful in its contribution to the CSCE process. Experts from the participating States were able to exchange views on environmental problems and share information on how to respond to these problems. In addition, there was general agreement to pursue the suggested activities in the draft report in the ECE and UNEP, as well as to forward all of the proposals to the next main CSCE follow-up meeting in Helsinki in 1992. A new development in CSCE was the attendance of private individuals from East European countries, adding a public dimension. Finally, the Sofia meeting provided a useful forum for raising related human rights issues and was directly responsible for an unprecedented amount of independent activity in Bulgaria itself.

Soon after the conclusion of the Environmental Meeting, on November 10, Bulgarian leader Todor Zhivkov was ousted. His replacement, Foreign Minister Petar Mladenov, who had reportedly angered hardliners by his championing of the Environmental Meeting, has promised to adopt reforms which would liberalize Bulgarian society.

*—Robert Hand*
*—Orest Deychakiwsky*

## Turkish minority denied rights

The Sofia Meeting provided opportunities for CSCE staff to travel to ethnic Turkish regions in Bulgaria and meet with both officials and members of the Turkish minority. Despite official assertions to the contrary, there is strong evidence that the Bulgarian Government continues its campaign to forcibly assimilate its ethnic Turkish and Pomak minorities and to date, there are no indications that it is reversing this policy, despite a recent directive by a commission of the Bulgarian National Assembly which appeared to signal the intention of authorities to modify the assimilation campaign.

Ethnic Turks are still only allowed Bulgarian names. They are often fined for speaking Turkish in public, and are threatened or beaten by authorities for raising concerns about restrictions on their cultural and religious rights.

Bulgarian officials continue to assert that "Bulgarian Muslims" voluntarily changed their names in 1984-85 following a "campaign of explanation," and that no one wishes to change back to their former Turkish names. Islamic religious rites continue to be severely restricted or banned all together. Families of the dead, for instance, are not permitted to put Turkish names on tombstones, only Bulgarian names. As a result, some choose to leave the tombstones of their relatives blank.

While the situation for ethnic Turks remains bleak, there are hopes

that the recent meeting in Kuwait between the Bulgarian and Turkish representatives may lead to some improvements in their situation. This, together with the recent unprecedented level of independent public activity, may pave the way for human rights improvements in Bulgaria.

*—Orest Deychakiwsky*

## WPA Congress admits Soviets

On October 19, 1989, delegates to the World Psychiatric Association Congress in Athens voted overwhelmingly to re-admit the Soviet All-Union Society Soviet Psychiatrist and Narcologists (AUSSPN) into its ranks. The Soviets left the WPA in 1983 rather than risk expulsion for documented psychiatric abuse against political dissidents. Prior to the vote, the Soviets released a statement in which they acknowledged that "previous political conditions in the USSR created an environment in which psychiatric abuse occurred for non-medical, including political reasons." The statement also asserted that the AUSSPN "encourages enlightened leadership in the psychiatric community in the USSR." Western human rights activists and Soviet dissidents have pointed out that many Soviet psychiatrists directly linked with flagrant abuses of the past continue to hold influential posts in the Soviet medical and psychiatric apparatus. (According to sources in Moscow, the Soviet delegation held a press conference upon arrival in Moscow during which they denied having made any exculpatory statement.)

Under the terms of the readmission resolution, the WPA Review Committee will make a "site visit" to the Soviet Union within a year, and if the ensuing report determines that abuse has continued, a special assembly of the WPA General Assembly will be convened to consider suspending Soviet membership.

Prominent Soviet psychiatrist, former political prisoner, and human rights activist Semyon Gluzman attended the meeting in Athens, and reacted to the vote with disappointment. In a statement released after the vote, Gluzman noted that thousands of persons have been destroyed by Soviet psychiatry, "destroyed by those who were working and continue to work as physicians. They work as physicians but in reality they are not." The Washington Post called the vote "a heavy burden on those who have taken it to show they are not condoning medical atrocities for the sake of a phony international good feeling."

*—John Finerty*

## Hoyer calls for Soviet improvement

Prior to the WPA vote, on Oct. 2, 1989 the House subcommittee on Health and the Environment (Committee on Energy and Commerce), Rep. Henry Waxman (D-CA) chairing, held hearings on the "Contrasting Systems of Psychiatric Care: United States and the Soviet Union." Helsinki Commission Co-Chairman Steny Hoyer (D-MD) testified to recent positive changes in Soviet psychiatry under General Secretary Gorbachev but expressed his opinion that it was "still too early to readmit Soviet psychiatry to the WPA." Hoyer called upon the Soviet Government and psychiatric leadership to institutionalize protection of patients rights, remove abusive psychiatrists, establish better training for medical personnel, and demonstrate willingness take into account the views of all psychiatric organizations.

# Helsinki Commission conducts hearing on Baltic States' issues

On October 19, CSCE held a hearing to examine recent developments in the Baltic States, and to assess the importance of these developments for Soviet political realities and U.S. foreign policy.

In 1940, Latvia, Estonia and Lithuania were forcibly incorporated into the Soviet Union. This action was presaged by secret protocols the 1939 Soviet-Nazi pact. Current Baltic demands for independence are based on the assertion that the protocols, and the resulting annexation of the Baltic States violate international law.

The hearing began with statements by Commissioners Don Ritter (R-PA), Edward Feighan (D-OH) and Co-chair Steny Hoyer (D-MD). Hoyer acknowledged that Gorbachev's policy of openness sparked Baltic activism, but added that Baltic aspirations go further. Ritter contended that Gorbachev's unwillingness to abide by the Soviet constitutional guarantee giving union republics the right to secede has casts doubt on the sincerity of his goal of turning the U.S.S.R. into a state "ruled by law."

Senator Donald Riegle (D-MI), a Commission invitee, posited that the choice for American policymakers on the issue is not between Baltic "independence and moderate reform," but between "independence and occupation." He questioned the U.S. emphasis on supporting Soviet internal stability for the sake of external progress—particularly in the field of arms control: "Can we justify sacrificing the nations held captive within Soviet borders for the sake of those outside?"

Testifying first from the witness table, Ernst Jaakson, Consul General in charge of the Estonian Legation in New York, began with a statement questioning the right of the Soviet Union to govern Estonia. He added the people of Estonia believe that "world public opinion and the support of governments of the free world . . . have a strong bearing on the achievement of their goals."

Dr. Anatol Dinbergs, Charge d'Affaires of Latvia, pointed out that "the assertion of the Baltic people's national rights is not an internal Soviet concern, [but] an international problem."

He supported this claim with a brief history of the 1940 occupation and the bogus elections establishing the pro-Soviet local government. He finished by calling on Gorbachev to adhere to the "basic tenets of international law."

The Lithuanian Charge d'Affaires, Stasys Lozoraitis, recalled traditional American opposition to "predatory activities no matter whether carried out by the use of force or the threat of force." He suggested, the United States could play an important role by "using all possible private channels in order to promote the growth and development of democratic undertakings," adding that this requires "recognition of a government after it has resumed the exercise of effective sovereign power."

James Dobbins of the Bureau of European and Canadian Affairs represented the State Department; he stressed a "clear and consistent" U.S. policy, based on non-recognition of the forcible incorporation of the Baltic States. He quoted President Bush's call to the Soviet Union to "listen to [the] calls for freedom and self-determination," stressing that "a solution to the status of the Baltic nations can only come about through peaceful means."

In response to questioning, Dobbins offered the assurance that the administration will "enthusiastically support" any result of self-determination.

*"No territorial settlements would be recognized that were not in accord with the wishes of the peoples of [occupied] territories."*

In final testimony international lawyer William Hough challenged the U.S. stance on the Baltic issue. An expert on non-recognition, Mr. Hough explored the history of the doctrine, including the Atlantic Charter, signed by both the Soviet Union and the United States during World War II. All signatory States agreed that "no territorial settlements would be recognized that were not in accord with the wishes of the peoples of [occupied] territories." He added that "Western statesmen have reacted to the resurgence of peaceful, democratic, Baltic mass movements with nervous confusion and anxiety."

Mr. Hough postulated that "the key to the Baltic question is a diplomatic and political formula that promotes and enhances the interests of the Baltic peoples, the U.S.S.R., and the neighboring states." He suggested that the U.S. discuss the Baltic situation with the Soviets and encourage a mutually beneficial resolution as is done with the Israeli Government with respect to the occupied territories in East Jerusalem.

CSCE plans to continue to promote discussion of this topic. A report by the staff on developments in the Baltic States is due for release in late December.

*—Ann W. Banchoff*

## Georgian activist dies in car crash

Long-time Georgian human rights activist and member of the Georgian Helsinki Monitoring Group Merab Kostava died in an automobile accident on October 13, 1989 on a highway outside of Tbilisi, the Georgian capital.

Kostava, a musicologist, had served ten years in a labor camp and exile for his human rights activities prior to his release from camp in 1987. Upon his release, he had renewed his political activity and headed up the Society of St. Ilya the Just.

In a statement published in the Congressional Record of October 19, 1989 Helsinki Commission Chairman Sen. Dennis DeConcini said "[Kostava's] strength of character serves as a paragon for other human rights activists . . . His untimely death leaves a great void in the Helsinki process in the Soviet Union."

## Hungarian leader outlines needs

On November 3, Helsinki Commission Chairman and Co-Chairman Dennis DeConcini and Steny Hoyer held a breakfast meeting with Hungarian Minister of State and Socialist Party Presidential candidate Imre Pozsgay. Commissioners John Heinz and Richard Schifter also attended, as did Rep. Tom Lantos and Deputy Assistant Secretary of State for Human Rights and Humanitarian Affairs Paula Dobriansky.

The meeting took place against the background of rapid changes in Hungary and an ongoing debate in the administration and Congress concerning what kind of aid package the United States should offer to support continuing economic and political reforms in Hungary and Poland. In November, the Congress approved an aid package of $938 million for Poland and Hungary over the next three years.

The congressional package places heavy emphasis on the creation of "enterprise funds" to encourage investment in the private sector, the provision of technical training and aid in the development of democratic institutions.

Pozsgay stressed that the Hungarian Government should concentrate its efforts on creating a good climate for private investments, and that the G-7 countries should, in turn, create a "unified concept" of how to aid Poland and Hungary.

Pozsgay called additionally for an easing of COCOM export controls to allow an upgrading of technology in Hungary and to stimulate entrepreneurship which, he said, is stymied when businesses can think ahead only one step at a time. He pledged that the Hungarian Government would abide by all means of control and monitoring, including sanctions. He suggested that a COCOM office could be established in Budapest to aid in monitoring.

Pozsgay spoke proudly of Hungary's renewed commitment to adhere to the Helsinki Final Act and subsequent CSCE documents and the role of the Hungarian Socialist Party in

peacefully reforming the system. Yet as he praised the "open political engagement" which has come increasingly to characterize Hungary, he betrayed some uneasiness over some of the potential effects of democratization, worrying that "The public is being pulled in all directions." Nevertheless, Pozsgay expressed confidence in his country's future.

That future, widely assumed to be tied closely to Pozsgay's own political future as recently as a month ago, already is taking shape in a far different way than Pozsgay and many Reform Communists had imagined. The three-sided talks between the party, fellow traveler organizations and Opposition representatives ended with an agreement among the majority of participants that the Presidential election would be held by direct vote before free, multi-party parliamentary elections took place. Pozsgay, one of the best-known national figures in Hungary, was expected to win the presidency. Opposition candidates, in turn, were expected to sweep the parliamentary elections.

Fearing that an early presidential election in the absence of a freely-elected parliament would result in excessively strong Presidential powers being institutionalized, the opposition Alliance of Free Democrats (SZDSZ) and Association of Young Democrats (FIDESZ) gathered support for a referendum to hold the Presidential election after the parliamentary elections and by parliamentary, rather than popular, vote. The referendum was held on November 26, resulting in a narrow victory for those who favored postponing the Presidential election and much slimmer chances for Pozsgay to be elected by an Opposition-dominated parliament.

*—Judy Ingram*

# DeConcini and Hoyer support Gorbachev call for Helsinki II

Helsinki Commission Co-chairs Dennis DeConcini and Steny Hoyer issued the following statement in support of President Gorbachev's call for a convocation of the nation's participating in the Helsinki process to discuss the future of Europe:

"We welcome the initiative by President Gorbachev calling for a major conference of the nations which have signed the Helsinki Final Act. The Helsinki documents provide a sound foundation and an appropriate forum for the discussion of East-West differences as well as constructive proposals to end the cold war and to eliminate the threat of real war.

"The 10 principles contained in the first basket of the Helsinki Final Act—based on established international law and the basic documents of the United Nations—provide the necessary fundamental guidelines for discourse and decisions necessary among the nations of Europe and North America to resolve outstanding problems of the present and prospective problems of the future.

*"We believe that President Bush and President Gorbachev should jointly call upon the other 33 signatories of the Helsinki Final Act to convene Helsinki II."*

"Those 10 principles include the recognition that frontiers are inviolable; that all peoples and nations have the right to self-determination; that borders may be changed through negotiation and peaceful means; and that all people everywhere are entitled to basic human rights and fundamental freedoms. It seems to us that the Helsinki process is tailor-made for the times we live in and the challenges we face as the cold war finally and thankfully appears to be ending.

"We urge President Bush to consider seriously President Gorbachev's proposal and to respond favorably to it. We believe that the problems that have characterized the confrontation between East and West since World War II can effectively be addressed within the Helsinki process.

"We believe that President Bush and President Gorbachev should jointly call upon the other 33 signatories of the Helsinki Final Act to move to convene Helsinki II. We look forward to supporting such an initiative.

"We also join fully with President Bush's call earlier this year for free elections in all of the Helsinki participating States. Free elections would usher in the truly democratic and undivided Europe which we and President Gorbachev seek through Helsinki II."

# Members support Ukrainian Church

In anticipation of General Secretary Gorbachev's visit to the Vatican in early December 1989, several members of the Helsinki Commission—and other concerned Members—wrote to Mr. Gorbachev urging him to grant legal status to the Ukrainian Catholic Church. Following the Vatican meeting, Cardinal Lyubachivsky, Ukrainian Catholic spiritual leader in Rome, said that he considers the church legal, and has urged Ukrainian Catholics to apply for registration of their congregations and to press for return of church property confiscated in 1946.

## FOR THE RECORD

MIKHAIL GORBACHEV, Rome, November 30, 1989. "Most people recognize that we shall never be able to implement the ideals of perestroika and attain our goals unless we accept universal human values and join in the process of global change. . . . We have abandoned the claim to have a monopoly on the truth. We no longer think we are the best and that we are always right, that those who disagree with us are our enemies. . . . Having embarked upon the road of radical reform, the socialist countries, one after the other, are crossing the line beyond which there is no return to the past."

FYODOR BURLATSKIY, Chair, Supreme Soviet Human Rights Subcommittee, December 1989. "The most important thing for us is to revolutionize, radically, the whole system of human rights in the Soviet Union."

MIKHAIL GORBACHEV, Rome, November 30, 1989. "Now we not only proceed from the assumption that no one should interfere in matters of the individual's conscience. We also say that the moral values that religion generated and embodied for centuries can help in the work of renewal of our country, too."

GEORGE BUSH, press conference in Brussels, December 4, 1989. "When I hear him (Gorbachev) talk about peaceful change and the right of countries to choose—countries in the Warsaw Pact to choose—that deserves new thinking."

FIVE WARSAW PACT ALLIES, Moscow, December 4, 1989. "The illegal disruption of the process of democratic renewal in Czechoslovakia had long-term negative consequences. . . . History showed how important it is, even in the most complex international situations, to use political means for the solution of any problems, and to observe strictly the principles of sovereignty, independence, and noninterference in internal affairs."

MIKHAIL GORBACHEV, in a joint statement with Italian Prime Minister Andreotti, Rome, December 1, 1989. ". . . the future international order should increasingly be based on the universal values of freedom, of all forms of national, ethnic, and religious tolerance, and of pluralism."

ALEXANDER YAKOLEV, close Gorbachev advisor, Moscow, December 1989. "I personally think it (Article 6 guaranteeing the Communist Party monopoly onpower) is not needed. It does not fit into the structure of the democratic construction of separate legislative, executive, and judicial branches of government. . . . But if we suddenly, now, take that article out, it would send an unclear signal to society."

MIKHAIL GORBACHEV, to Finnish President Koivisto, Helsinki, October 25, 1989. "The events that are now taking place in the countries of Eastern Europe concern the people and countries of that region. . . . We have no right, moral or political, to interfere in events happening there. We assume others will not interfere either."

## RECENT CSCE PUBLICATIONS

SOVIET PSYCHIATRIC PRACTICES—Hearing, July 12, 1989. Testimony from medical personnel, government officials, and academics, plus an extensive appendix of documentary evidence.

TURKISH TRIP REPORT—Report, August 17-22, 1989. CSCE Chair DeConcini, Senator Lautenberg, Rep. McEwen, and CSCE staff visit Turkey and conduct interviews on human rights with Turkish leaders and Bulgarian and Kurdish refugees, and examine prison conditions and allegations of mistreatment.

SOFIA CSCE ENVIRONMENT MEETING—Hearing, September 28, 1989. Commissioners DeConcini, Hoyer, Wirth, D'Amato, and Schifter hear testimony on issues to come before the upcoming Sofia CSCE meeting on the environment.

SOVIET PENAL SYSTEM—Report, August 9-10, 1989. Commissioners Wolf and Smith report on an investigative trip to Perm Camp 35 in the Soviet Union.

BALTIC STATES—Hearing, October 19, 1989. Commissioners Hoyer, Ritter, and Feighan hear Senator Riegle, representatives of the Baltic States, and other experts on the situation in Lithuania, Estonia, and Latvia.


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Official Business


Dennis De Concini
U.S.S.